

REMARKS

STATUS OF THE CLAIMS

In accordance with the foregoing, claims 1, 2, 4-6, 8-10 and 12-14 have been amended. Claims 7, 11 and 15-17 have been cancelled. Claims 1, 2, 4-6, 8-10 and 12-14 are pending and under consideration.

No new matter is being presented, and approval of the amended claims is respectfully requested.

REJECTIONS UNDER 35 U.S.C. §112

On page 2, items 4-7, claims 1-2 and 4-17 are rejected under 35 U.S.C. §112, second paragraph, as failing to particularly point out and distinctly claim the subject matter of the invention. Specifically, the Examiner states that the claims contain language of intended use rather than positive limitations.

Claims 1, 2, 4-6, 8-10 and 12-14 are amended to include positive language that properly sets forth the metes and bounds of the invention. As a result, the rejections thereof under 35 U.S.C. §112, second paragraph, are respectfully overcome.

Claims 7, 11 and 15-17 are cancelled herein and, thus, the rejections thereof are considered moot.

REJECTIONS OF CLAIMS 1, 2 AND 4-17 FOR OBVIOUSNESS UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER STEFIK ET AL. (U.S. PATENT NO. 5,638,443)

Claims 7, 11 and 15-17 are cancelled herein and, thus, the rejections thereof are considered moot. The rejections of claims 1, 2, 4-6, 8-10 and 12-14 are respectfully traversed and reconsideration is requested.

The present invention, according to claim 1, for example, recites when at least the predetermined event occurs, detecting the occurrence of at least the predetermined event, sending notice indicating the occurrence of at least the predetermined event, and *acquiring information of a range of user right within which the user rights are expanded*.

Stefik et al. (hereinafter "Stefik"), on the other hand, merely describes a system for controlling the use and distribution of composite digital works. The cited portion of Stefik states that repositories are used to store digital works, control access to digital works, bill for access to digital works and maintain the security and integrity of the system. (See column 6, lines 1-5). According to Stefik, a digital work genie only moves from one trusted bottle (repository) to

another, and all uses of copies are potentially controlled and billable. (See column 6, lines 12-15).

Therefore, the cited portion of Stefik does not teach or even suggest acquiring information of a range of user right within which the user rights are expanded, when a predetermined event occurs.

Stefik does describe that if a server detects a communications failure before sending the last block, it enters a cancellation state, wherein the transaction is cancelled. (See column 33, lines 12-13). However, even this portion of Stefik makes no mention of acquiring information of a range of user right within which the user rights are expanded.

Therefore, it is respectfully submitted that independent claim 1, along with dependent claims 2 and 4, patentably distinguish over the prior art.

Independent claims 5, 6, 8-10 and 12-14 recite similar features to independent claim 1, described above. Thus, the arguments submitted herein for independent claim 1 are also submitted for independent claims 5, 6, 8-10 and 12-14 and, therefore, it is respectfully submitted that independent claims 5, 6, 8-10 and 12-14 patentably distinguish over the prior art.

ACCEPTANCE OF THE DRAWINGS

The Examiner has not indicated that the Drawings are accepted as filed. Indication of acceptance of the Drawings is respectfully requested.

ACKNOWLEDGMENT OF CLAIM FOR PRIORITY

The Examiner has not acknowledged the Applicant's claim for foreign priority under 35 U.S.C. §119, filed March 18, 2002, along with a certified copy of the foreign priority document. Acknowledgement of the claim for foreign priority and certified copy thereof is respectfully requested.

CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. Further, all pending claims patentably distinguish over the prior art. There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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By: Michael P. Stanley
Michael P. Stanley
Registration No. 58,523

1201 New York Avenue, NW, 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501